

COMMISSION HEARING OFFICER DIRECTIVE

ADMINISTRATIVE
MATTERS

☐

DATE September 2, 2008

MOTOR CARRIER
MATTERS

☐

DOCKET
NO. 2008-196-E

UTILITIES MATTERS

☒

ORDER NO. N/A-

HEARING OFFICER: **Jocelyn G. Boyd**

DOCKET DESCRIPTION:

Combined Application of South Carolina Electric and Gas Company for a Certificate of Environmental Compatibility and Public Convenience and Necessity and for a Base Load Review Order for the Construction and Operation of a Nuclear Facility in Jenkinsville, South Carolina

ADMINISTRATIVE MATTERS UNDER CONSIDERATION:

October 27, 2008, Hearing Date and Prefile Testimony Deadlines

HEARING OFFICER ACTION:

In August 2008, the South Carolina Energy Users Committee (SCEUC) and CMC Steel South Carolina (CMC Steel) requested that the October 27, 2008, hearing date be continued and that the prefilings deadlines be extended to permit the parties sufficient time to investigate and develop the record regarding South Carolina Electric and Gas Company's Combined Application. Both SCEUC and CMC Steel requested that the Commission continue the hearing until January 12, 2009. Further, CMC Steel and SCEUC requested that the prefiling testimony deadlines be set as follows:

Direct Testimony of Applicant – September 16, 2008

Direct Testimony of All Other Parties – November 17, 2008

Rebuttal Testimony – December 1, 2008

Surrebuttal Testimony – December 15, 2008

Thereafter, the Public Service Commission received several requests to continue the

scheduled October 27, 2008, hearing date in the instant Docket and to extend the prefiled testimony deadlines. On August 27, 2008, a Prehearing Conference was held at the Commission, and several parties appeared and stated their positions regarding the scheduled hearing and prefiled testimony dates. The following parties were present for the Prehearing Conference: Belton T. Zeigler, Esq., K. Chad Burgess, Esq., and Mitchell Willoughby, Esq., all representing South Carolina Electric and Gas Company (SCE&G); Damon E. Xenopoulos, Esq. (via telephone) and Joey Floyd, Esq., both representing CMC Steel South Carolina; Joseph Wojcicki, representing himself; Maxine Warshauer, representing herself; Mildred A. McKinley, representing herself; Nanette S. Edwards, Esq., and Shannon Hudson, Esq., both representing the Office of Regulatory Staff; Pamela Greenlaw, representing herself; Robert Guild, Esq., representing Friends of the Earth; and Scott Elliott, Esq., representing the South Carolina Energy Users Committee. Some of the reasons articulated by some of the parties for extending the hearing date and prefiled testimony deadlines include allowing the parties sufficient time to review voluminous stacks of discovery; recognizing that the parties must make scheduling arrangements with SCE&G to review confidential documents; allowing the intervenors adequate time to review SCE&G's direct testimony and to conduct additional discovery, if necessary; and providing sufficient time for the parties to prepare for the hearing in this Docket.

SCE&G's Combined Application for a Certificate of Environmental Compatibility and Public Convenience and Necessity and for a Base Load Review Order is the first of its kind before the Commission. While I believe that the parties should not wait until the last minute to conduct discovery and to begin preparing for this case, I do believe that the

issues in the instant Docket are complex, novel, and that none of the parties present at the Prehearing Conference objected to some form of a continuance.

Therefore, the hearing in this Docket currently scheduled to begin on Monday, October 27, 2008, is rescheduled to begin on Monday, December 1, 2008, at 9:30 a.m. and to continue through Friday, December 5, 2008, if necessary. Additionally, the parties are to comply with the following prefiled testimony deadline schedule:

Applicant's Direct Testimony Due – September 16, 2008
All Other Parties' Direct Testimony Due – October 17, 2008
Applicant's Rebuttal Testimony Due – October 31, 2008
All Other Parties' Surrebuttal Testimony Due – November 14, 2008.

All testimony must be filed with the Commission and served on the parties via e-mail on or before the dates prescribed. If a party does not have an e-mail address, then such party must be served a copy of the testimony by First-Class U.S. Mail.

A couple of intervenors requested information regarding the publication of the Commission's regulations and statutes governing the Commission's jurisdiction. The Commission's regulations and Title 58 can be accessed on the Commission's website at www.psc.sc.gov by clicking on "Regulations, Laws, Policies, and Procedures" on the left-hand side of the Commission's webpage.